

CHANCERY COURT FOR GRAINGER COUNTY, TENNESSEE

M. DUSTIN LONG d/b/a
Long Excavating and Hauling,

Plaintiff,

vs.

GOINS HOLLOW QUARRY, LLC,
DELORES PIERCY, SHANE PIERCY,
and LESTER DAN PIERCY JR.,

Defendants.

State of Tennessee
County of Grainger

I, Vickie B. Greenlee, Clerk & Master, certify
that the foregoing is a true and perfect copy of
original Judgment
filed in my office

This 10 day of Aug. 2017
Vickie B. Greenlee
Vickie B. Greenlee, Clerk & Master

No. 2012-CH-12

Notice of Entry Required

GRAINGER COUNTY CHANCERY COURT
FILED 10-7-13 AT 9:00 A.M.
Vickie B. Hodge
VICKIE B. HODGE
CLERK & MASTER

Judgment

The Court conducted a bench trial in this action on September 19, 2013. In accordance with Tennessee Rule of Civil Procedure 52.01, the Court's findings of fact and conclusions of law appear in a transcript of the ruling, which has been filed with the clerk and master, and is incorporated by reference. Based on the pleadings, the testimony, the exhibits, the arguments of counsel, and the entire record, the Court finds that defendant Goins Hollow Quarry, LLC, should be dismissed, but that the plaintiff is entitled to judgment against the remaining defendants.

Therefore, the Court DISMISSES the claims against Goins Hollow Quarry, LLC, and awards M. Dustin Long JUDGMENT against defendants Delores Piercy, Shane Piercy, and Lester Dan Piercy Jr., jointly and severally, for \$151,670.87 (which has been reduced by the stipulated setoffs of \$9,593.34 for the defendants' counterclaim and \$2,499.31 for the two checks already paid to Long).

Finally, the Court ORDERS that Long may seek contribution from the defendants if Hinkle Contracting Company, LLC, gets a judgment against him for any unpaid royalties. The Court further holds that each individual party in this action is ultimately responsible for 25% of any reclamation amounts found to be owed to Hinkle Contracting in its Davidson County action, so any party may seek contribution from the others to the extent that he or she is forced to pay more than 25% of the total amount due.

Costs are taxed to Delores Piercy, Shane Piercy, and Lester Dan Piercy Jr.

Date: 10-11-13



TELFORD E. FORGETY JR.
Chancellor

Approved for Entry:

Mark Cowan

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CERTIFICATE OF SERVICE

I certify that on October 4, 2013, a copy of this judgment was mailed (and e-mailed) to:

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